

chg #2 for '83 taxes

#322

ORDINANCE No. ~~428~~

RECEIVED

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Clark County Assessor

AN ORDINANCE annexing an unincorporated area to the City of Battle Ground, Washington, and making the same a part thereof upon the petition of property owners, and requiring said area to bear any existing City indebtedness.

WHEREAS, on November 18, 1980, the City Council of the City of Battle Ground was presented with a Notice of Intent to Annex the following-described area by the petition method by Marg Wilson and Charles L. Fettig, said area being situate in Clark County, Washington:

Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of Section 2, Township 3 North, Range 2 East of the Willamette Meridian; and running thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet; thence East 208.7 feet to the point of beginning; EXCEPT County Roads.

ALSO, That portion of the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter of said Section 2 lying East of Northern Pacific Railway right of way;

EXCEPT the North 30 feet for road purposes;

ALSO easement for private road purposes over and across that portion of the North 25 feet of the Northwest quarter of the Southeast quarter of said Section lying West of said railroad right of way; said easement to continue so long as grantee shall pay one-half cost of maintenance.

ALSO, The Southwest quarter of the Southeast quarter of said Section 2 lying East of the Northern Pacific Railway right of way;

EXCEPT county road as per deed in Book 516, page 302;

EXCEPT the following-described tract: Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of said Section 2; and running thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet; thence East 208.7 feet to the point of beginning.

At said time the City Council of the City of Battle Ground determined that a Petition for Annexation of the above-described area would be accepted provided that said area would bear any existing general obligations or indebtedness owed by the City of Battle Ground, and further provided that the City would require the simultaneous adoption of a proposed zoning regulation upon annexation.

WHEREAS, a Petition for Annexation requesting the City of Battle

LAW OFFICES OF  
EARL W. JACKSON  
BATTLE GROUND, WASHINGTON 98604  
(206) 687-7106  
ES:

Ground City Council to annex the above-described property was received by the City of Battle Ground on November 25, 1980 and the Petition was duly signed by the owners of more than 75 per cent in value, according to the assessed value for general taxation of said area, and the City Council of the City of Battle Ground, pursuant to RCW 35A.14.160, and RCW 36.93.090 caused to be filed a Notice of Intention to Annex with the Clark County Boundary Review Board on March 3, 1981. On April 8, 1981, the City was advised by the Chief Clerk of the Boundary Review Board that the Board had voted to waive jurisdiction over said annexation and authorized the City Council to proceed with annexation, on May 5, 1981.

WHEREAS, the City Council fixed a date for public hearing upon the annexation and caused notice of hearing to be published and posted as required by law under RCW 35A.14.130, and public hearing was had before the City Council on June 1, 1981, where proponents and opponents were heard and the hearing was closed.

WHEREAS, the Environmental Affairs Committee of the City of Battle Ground determined that annexation of said area together with zoning thereof would not constitute a major action which would significantly adversely affect the quality of the environment, and the Mayor of the City of Battle Ground on February 17, 1981 made a Declaration of Non-significance for said area; now, therefore,

**THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, DO  
ORDAIN AS FOLLOWS:**

I.

That the following FINDINGS OF FACT are hereby made:

(a) That after consideration of the land use in the following-described area, the City of Battle Ground Comprehensive Plan, the per capita assessed valuation, the availability of municipal services, and the probable future need for such services, the annexation of the following-described property would be in the public interest and for the public welfare.

(b) That this annexation is not an action which significantly adversely affects the quality of the environment.

## II.

That the following-described tract of land be, and the same is hereby annexed to the City of Battle Ground and made a part thereof:

Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of Section 2, Township 3 North, Range 2 East of the Willamette Meridian; and running thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet; thence East 208.7 feet to the point of beginning; EXCEPT County Roads.

ALSO, That portion of the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter of said Section 2 lying East of Northern Pacific Railway right of way;

EXCEPT the North 30 feet for road purposes;

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ALSO, The Southwest quarter of the Southeast quarter of said Section 2 lying East of the Northern Pacific Railway right of way;

EXCEPT county road as per deed in Book 516, page 302;

EXCEPT the following-described tract: Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of said Section 2; and running thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet; thence East 208.7 feet to the point of beginning.

This annexation shall become effective June 15, 1981. That all real property within the area shall be assessed and taxed at the same rate and on the same basis as property now inside the City of Battle Ground is assessed and taxed to pay for any outstanding indebtedness of the City of Battle Ground existing on June 15, 1981.

## III.

The City Clerk is hereby directed to file with the Board of County Commissioners of Clark County, Washington, a certified copy of this ordinance. The City Clerk is further directed to file with the Office of Financial Management a certificate as required by RCW 35A.14.700 within thirty days of the effective date of annexation.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this   1   day of

LAW OFFICES OF  
EARL W. JACKSON  
BATTLE GROUND, WASHINGTON 98604  
(206) 687-7106

June, 1981.

SIGNED: Ernest A. Estor  
Mayor

ATTEST: [Signature]  
Clerk

AYES: Howard, Kacken, DeShirila, Lahmann, Miller, Brothers

NAYS: None

ABSENT: Von Holt

ABSTAIN: None

Approved as to form:

Earl W. Jackson Jr.  
City Attorney